

REMARKS

Claims 1-4, 6, 7, 9-15, 17, 18 and 22-24 are currently pending in the present application.

The rejection of claims 1-4, 6, 7, 9-15, 17, 18 and 22-24 under 35 U.S.C. § 112, first paragraph (written description), is respectfully traversed.

The originally filed specification is alleged as failing to provide adequate written description for the negative limitation recited in claim 1 that “after the treatment with the cationic polymer the treated paper or paper product is not coated.”

It is a well-settled premise of patent law that a negative limitation or exclusionary proviso explicitly excluding an element from a claim is permissible, especially when the element recited in the negative proviso is positively recited in the specification. See MPEP § 2173.05(i) and *In re Johnson*, 558 F.2d 1008, 1019, 194 USPQ 187, 196 (CCPA 1977) (the specification, having described the whole, necessarily described the part remaining).

As acknowledged by the Examiner in the Advisory Action dated April 18, 2011, page 5, lines 14-19 of “*the specification actually discloses applying additional coatings over the claimed coating composition*” (emphasis added). Therefore, the negative limitation explicitly excluding coating the treated paper or paper product after treatment with the cationic polymer has not resulted in the introduction of new matter.

Withdrawal of this ground of rejection is respectfully requested.

Application No. 10/554,286


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Supplemental Response to Advisory Action dated April 18, 2011 and Official Action dated January 5, 2011

In conclusion, Applicants submit that the present application is now in condition for allowance and notification to this effect is earnestly solicited.

Respectfully submitted,

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